

UNITED STATES DISTRICT COURT

for the
Northern District of New York

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

U.S. Postal Service Priority Mail Parcel 9114 9012 3080)
1851 4401 06 as described in Attachment A, and)
currently in the custody of U.S. Postal Inspection Service)
located at 5640 East Taft Road, Syracuse, NY 13220)

) Case No. 5:20-MJ- 493 (ML)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

U.S. Postal Service Priority Mail Parcel 9114 9012 3080 1851 4401 06 as described in Attachment A, and currently in the custody of U.S. Postal Inspection Service located at 5640 East Taft Road, Syracuse, NY 13220

located in the Northern District of New York, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

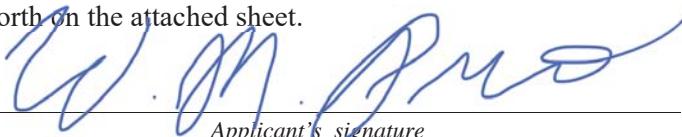
The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841(a)(1)	Distribution or Possession with Intent to Distribute a Controlled Substance
21 U.S.C. § 846	Conspiracy to Distribute a Controlled Substance
18 U.S.C. § 471	Counterfeiting Currency

The application is based on these facts:
See Attached Affidavit.

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

ATTESTED TO BY THE APPLICANT IN
ACCORDANCE WITH THE REQUIREMENTS OF
RULE 4.1 OF THE FEDERAL RULES OF CRIMINAL
PROCEDURE



Applicant's signature

William M. Price, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/7/2020

City and state: Binghamton, New York



Judge's signature

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE SEARCH OF
ONE U.S. POSTAL SERVICE PACKAGE,
BEARING TRACKING NUMBER
9114 9012 3080 1851 4401 06

Case No. 5:20-MJ- 493 (ML)

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, William M. Price, being duly sworn, depose and say as follows:

INTRODUCTION

1. I am a United States Postal Inspector currently assigned to Syracuse, New York. I have been so employed for approximately two months and am currently assigned to our Syracuse office. I am assigned to various types of investigations, including the use of the U.S. mail to transmit dangerous items. I am responsible for investigations involving the illegal use of the U.S. mail in the trafficking of narcotics, controlled substances, illegal drugs, or proceeds derived from the sale of controlled substances, in violation of Title 21, United States Code, Sections 841 and 846. These investigations have involved the mailing of methamphetamine, MDMA, marijuana, cocaine, and other controlled and non-controlled prescription drugs. I have also been involved in the investigation of the mailing of U.S. Currency as payment for illegal drugs sent through the U.S. mails, or as payment for illegal drugs brought into the Northern District of New York by other means. Prior to my employ by the U.S. Postal Inspection Service (“USPIS”), I was employed as a Special Agent with the United States Drug Enforcement Administration (“DEA”) from 2015 to 2020. During my time as a DEA Special Agent, I was responsible for the investigation of large-scale drug conspiracies, including many investigations with connections to transnational criminal

organizations. These investigations have involved the distribution and/or transportation of methamphetamine, MDMA, marijuana, cocaine, heroin, steroids, fentanyl, synthetic drugs, and other controlled and non-controlled prescription drugs.

2. This affidavit supports an application to search one U.S. Postal Service (“USPS”) Priority Mail Parcel, which is more thoroughly described in Attachment A (hereinafter referred to as the “Subject Parcel”). The Subject Parcel is currently in the custody of the U.S. Postal Inspection Service located at 5640 East Taft Road, Syracuse, NY 13220 (“Syracuse Office”).

3. The information contained in this affidavit is based on my knowledge, my observations during the course of this investigation, and on information conveyed to me by other law enforcement officers and individuals involved in this investigation, and on my examination and review of physical evidence obtained during the investigation.

4. This affidavit contains only that information necessary to establish probable cause in support of an application for a search warrant authorizing search of the Subject Parcel. This affidavit is not intended to include each and every fact and matter observed by or made known to agents of the government.

PROBABLE CAUSE

5. The United States, including the USPIS, Federal Bureau of Investigation (“FBI”), and the United States Secret Service (“USSS”) is conducting a criminal investigation of a darknet market (“DM”) vendor that operates on a portion of the Internet that is often referred to as the TOR network, darkweb, or darknet. A DM operates as a black market, selling or brokering transactions involving legal products as well as drugs, weapons, counterfeit currency, stolen credit card details, forged documents, unlicensed pharmaceuticals, steroids, and other illicit goods.

6. DM vendor hook3d has a history of advertising and selling prescription medication including opioids and counterfeit U.S. currency for sale on various DMs and shipping the illicit narcotics and currency to customers in the United States via the U.S. Postal Service. A review of the DM Alphabay revealed that hook3d was a vendor on Alphabay from October 2016 to approximately July 3, 2017, and that in that period hook3d completed at least 1,345 sales of prescription opioids and counterfeit U.S. currency. In addition, hook3d was also a vendor on the DM Wall Street from February 12, 2018 to approximately April 21, 2019, and that in that period hook3d completed at least 1,674 sales of prescription opioids and other medications and counterfeit U.S. currency.

7. An October 2019 review of the DM Cryptonia revealed that hook3d was a vendor that joined in August 2019 and completed at least 193 sales. According to hook3d's profile on that site, it sold "Prescription Pain Medicine in large and small quantities and Counterfeit \$20 Bills in large and small quantities."

8. A February 2020 review of the DM Avaris revealed hook3d created a vendor profile on January 29, 2020 and advertised for sale prescription medications including hydrocodone, morphine, oxycodone, Dilaudid, and Adderall, as well as counterfeit twenty dollar bills. As of February 2020, hook3d had conducted approximately 11 transactions on the Avaris market. In its profile, hook3d stated "We are 'hook3d' formally of Alphabay, Dream, Nightmare, Wallstreet, Cryptonia and Apollon. We sell USA pharmaceutical prescription pills and Counterfeit \$20 Bills. If you have any questions feel free to ask!" The only shipping option was "FREE USPS Priority Shipping 2-4 Business Days."

9. Hook3d currently advertises prescription opioids and counterfeit U.S. currency for

sale on the DM Dark and ships via the U.S. Postal Service. A recent review conducted in September 2020 revealed that hook3d created a vendor profile on Dark in May 2020. Hook3d's profile states "We are "h00k3d" Vendor of Counterfeit USD Bills and Pharmaceutical Prescription Pills, which we will be adding soon! Feel free to message us with any questions, comments or concerns ☺." As of September 28, 2020, h00k3d had completed at least 582 orders, with 399 of those orders rated by customers. Three hundred ninety-six of the ratings were positive, two were neutral and one was negative. A copy of the public PGP key listed for h00k3d on Dark market was compared to the public PGP key listed for hook3d on alpha bay and Wall Street markets, and the key was identical.

10. During the course of the investigation, agents learned the USPIS and the Syracuse Office of the United States Secret Service had conducted an investigation in 2016 involving counterfeit currency being shipped via the U.S. Mail. The mailings identified in that investigation were USPS Priority Mail flat rate envelopes with pre-paid stamps, bearing a tracking number and no sender name or return address. Through USPS records and conversations with USPS employees, agents identified ALBIE PAGAN as a purchaser of Priority Mail flat rate envelope stamps in the Utica, New York area.

11. On August 26, 2020, an FBI agent acting in an undercover capacity purchased 20 morphine ABG 6mg pills from hook3d on Dark, hereinafter "Controlled Buy 1." A Dulles, Virginia address was provided to the vendor for shipping. On September 1, 2020, agents retrieved a USPS Priority Mail envelope bearing tracking number 9114 9012 3080 1851 5349 80 from the Dulles, Virginia address—Controlled Buy 1. The envelope bore a pre-paid flat rate envelope stamp, a self-adhesive printed address label and no sender name or return address. Inside the envelope was a folded white letter envelope with a blue rubber band wrapped around it. Inside of

the white letter envelope was a Styrofoam wrapper with a blue rubber band wrapped around it. Inside of the Styrofoam wrapper was a clear, vacuum sealed “FoodSaver” bag containing 24 light peach in color round tablets labeled “ABG” on one side and “60” on the other. One of the tablets field tested positive for morphine using a TruNarc handheld drug analyzer used in the preliminary identification of controlled substances.

12. On September 15, 2020, an FBI agent acting in an undercover capacity conducted two purchases from DM vendor hook3d on Dark. The first order was for 90 Gabapentin D-40 400mg pills, hereinafter referred to as “Controlled Buy 2.” A Dulles, Virginia address was provided to the vendor for shipping for this order. The second order was for twenty-five counterfeit twenty U.S. dollar bills, hereinafter referred to as “Controlled Buy 3.” A Vienna, Virginia address was provided for shipping for the second order. These purchases were coordinated with physical surveillance of ALBIE PAGAN in the manner described below.

13. On the morning of September 15, 2020, agents in Utica, New York observed PAGAN exit a residence on the 1200 block of Noyes Street in Utica, New York carrying a large white package in his hands and enter the driveway. They observed PAGAN drive a white Ford Crown Victoria with New York license plate ***2808. Agents observed PAGAN deposit Priority Mail envelopes into 12 different USPS collection boxes in Utica, NY. A U.S. Postal Inspector reviewed the mail deposited into 8 of the 12 collection boxes and identified thirteen mailings that shared similar characteristics. The thirteen mailings were in USPS Priority Mail flat rate envelopes bearing a tracking number, a \$7.75 stamp, self-adhesive printed address label and bore no sender name or return address. The parcels were destined for addresses throughout the United States. Priority Mail parcel 9114 9012 3080 1851 5323 06 was observed in the collection box located near 126 Business Park Drive, Utica, NY and was destined for an address in Memphis, Tennessee. On

September 25, 2020, a U.S. Postal Inspector in Memphis, Tennessee interviewed the intended recipient and obtained written consent to open the parcel. The parcel contained 11 suspected counterfeit twenty U.S. dollar bills.

14. A U.S. Postal Inspector reviewed USPS records for two Priority Mail flat rate envelopes deposited at the Utica Main Post Office on September 16, 2020. Both parcels contained tracking numbers, self-adhesive printed address labels, a \$.7.75 stamp and no sender name or return address. One of the parcels was addressed to the undercover agent and destined for an address in Dulles, Virginia—Controlled Buy 2.

15. On September 16, 2020, while at the blue collection box located in front of 114 Business Park Drive, Utica, NY, a USPS employee collected a Priority Mail flat rate envelope from a customer—the Subject Parcel. The customer was described as white male and was driving a white older model sedan bearing New York license plate ***2808, the same vehicle driven by PAGAN the previous day described above. The Subject Parcel bears tracking number 9114 9012 3080 1851 4401 06, a \$7.75 stamp, a self-adhesive printed address label and had no sender name or return address. It was destined for an address in Gloucester City, New Jersey.

16. On September 18, 2020, the Subject Parcel was subject to a canine exam by New York State Police Canine Handler Heidi Lyndaker and her canine partner “Ram.”¹ Lyndaker informed the U.S. Postal Inspector that “Ram” did not alert to the Subject Parcel. I am aware, through experience and conversations with canine handlers, that individuals who regularly handle controlled substances often leave the scent of controlled substances on the box, packaging materials, and other package contents they handle. Packaging materials are also often stored in

¹ “Ram” was last certified in September of 2020 to alert on the odors of Cannabis, Cocaine, Heroin, MDMA and Methamphetamine. “Ram” is trained on a biweekly basis to ensure the canine’s accuracy. New York State Police Trooper H. Lyndaker is Ram’s handler.

close proximity to the controlled substances, transferring the odor of the controlled substance to the packaging materials, contents, and parcel. Narcotics detection canines receive training to alert on these scents. I am also aware, through experience and conversations with canine handlers, that narcotics detection canines are not trained to alert on all prescription controlled substances and will often not alert to prescription controlled substances unless comingled with other controlled substances, as cited above.

17. On September 24, 2020, agents retrieved Priority Mail parcel 9114 9012 3080 1851 4400 83 from the Dulles, Virginia address—Controlled Buy 2. The envelope contained a \$7.75 stamp, a self-adhesive printed address label and no sender name or return address. Inside the envelope was a folded white letter envelope with a blue and red rubber bands wrapped around it. Inside of the white letter envelope was a Styrofoam wrapper with a red rubber band wrapped around it. Inside of the Styrofoam wrapper was a clear vacuum sealed “FoodSaver” bag containing 90 light orange in color capsules labeled “D 04” and two yellow capsules labeled “215.” The aforementioned parcel was mentioned above in paragraph 12.

18. On October 1, 2020, agents retrieved Priority Mail parcel 9114 9012 3080 1851 5323 99 from the Vienna, Virginia address—Controlled Buy 3. The envelope contained a \$7.75 stamp, a self-adhesive printed address label and no sender name or return address. Inside the envelope was a white letter envelope. Inside the letter envelope was 33 suspected counterfeit twenty dollar bills. The aforementioned parcel was mentioned in paragraph 12.

19. I am aware, through my training and experience, that it is common for those mailing illegal drugs to use Priority Mail. This is true for many reasons, including because:

- a. Items sent via Priority Mail are considered First Class Mail and cannot be examined without a federal search warrant;

- b. Priority Mail is generally expected to be delivered in 2-4 business days. This ensures the drug dealer of expedited delivery;
- c. Various dispatch times (times which a mailed item is transported to the next destination) are available to customers, upon request, and this gives the mailer the opportunity to have some control over the arrival of the mailed item;
- d. Individuals desiring to either send or receive controlled substances and payments for these substances through the U.S. Mail can do so without having to provide identification, thereby reducing the possibility of revealing their true identity; and
- e. Priority Mail parcels include individual parcel tracking numbers, which allow the sender, and/or intended recipient, to track the travel of the parcel after it is posted by telephone or internet.

20. I am also aware that, when drugs are shipped through the mails, senders of illicit goods such as narcotics generally do not want them back. To distance themselves from parcels containing drugs, the return addresses and the names of senders are often fictitious or false. A fictitious or false address can be anything from an incorrect zip code to a non-existent house number or street. The name of the sender is also typically invalid: I have seen packages sent by persons with names of celebrities, cartoon characters, or fictional persona, but more often a search of the *CLEAR* database reflects that there is no association between the name of the sender and the address provided. The Subject Parcel in this instance has no return name or address listed on it.

CONCLUSION

21. The above facts establish probable cause to believe that the Subject Parcel contains evidence of violations of federal law, including Title 21, United States Code, Sections 841(a)(1) and 846, and Title 18, United States Code, Section 471.

ATTESTED TO BY THE APPLICANT BY TELEPHONE IN ACCORDANCE WITH THE REQUIREMENTS OF RULE 4.1 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE.



William M. Price
U.S. Postal Inspector

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on October 7, 2020, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Miroslav Lovric
United States Magistrate Judge